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July 15, 2010

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn ATTN: Lower Passaic River Remedial Project Manager Emergency and Remedial Response Division U.S. EPA, Region 2 290 Broadway, 19th Floor New York, New York 10007

Re: Monthly Progress Report No. 38 – June 2010 Lower Passaic River Study Area (LPRSA) Remedial Investigation/ Feasibility Study (RI/FS) CERCLA Docket No. 02-2007-2009

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On June 3, CPG and EPA held a conference call to discuss semi-volatile organic compound (SVOCs) analytical issues in crab tissue.
- On June 10, CPG and EPA held a conference call to discuss the CPG and Tierra schedule to remove the Physical Water Column Monitoring (PWCM) River and Newark Bay moorings.
- On June 14, CPG, EPA, and EPA and CPG contractors held a conference call to discuss the remaining fish tissue analysis issues.
- On June 21, CPG and EPA held a conference call to discuss the EPA's comments on the Fish QAPP Addendum 3 and Benthic QAPP Addendum 2.

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- On June 22, CPG, EPA, and EPA and CPG contractors held a monthly Progress Call to discuss modeling activities.
- On June 23, CPG participated in the semi-annual LPR/NB Modeling Program Meeting.

Correspondence

- On June 1, EPA approved the 2010 Bathymetry QAPP.
- On June 4, EPA provided a response on the revised Fish Tissue Analysis Plan Part 2 (eel and white perch tissue samples) to CPG.
- On June 8, CPG provided a memorandum providing the proposed analysis of the invertebrate tissue cultured in the estuarine and freshwater sediment samples collected in the fall of 2009 Benthic Survey to EPA.
- On June 8, CPG acknowledged receipt of the updated ECOM-SEDZLJS code from HydroQual.
- On June 8, CPG submitted a revised Fish Tissue Analysis Plan for white perch to EPA.
- On June 8, CPG submitted revised Fish QAPP Addenda 3 and 4 and responses to EPA comments to EPA.
- On June 8, CPG notified EPA that the reprocessed data from the fall PWCM program was received from the contractor and was being reviewed.
- On June 10, EPA notified the CPG that all of the moorings for the Newark Bay and Lower Passaic River PWCM programs should be left in place with the objective of capturing low flow data during the upcoming months.
- On June 11, CPG submitted a draft Habitat Survey QAPP (Benthic QAPP Addendum 3) to EPA.
- On June 14, CPG submitted a revised white perch tissue sample analysis spreadsheet to EPA and received approval from EPA to use in the analysis of white perch tissue.
- On June 14, CPG provided the schedule for the June PWCM sampling activities to EPA.
- On June 15, EPA provided approval of the complete Tissue Sample Analysis Plan for the 2009 fish/decapod sampling effort to CPG.
- On June 15, CPG submitted the May 2010 Monthly Progress Report to EPA.
- On June 15, EPA provided comments on the Fish QAPP Addendum 3 and Benthic QAPP Addendum 2 to CPG.



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- On June 17, EPA provided requested AXYS audit findings pertinent to 2008 Low Resolution Coring (LRC) dioxin split sampling analyses to CPG.
- On June 18, EPA provided comments on the Benthic QAPP Addendum 2 to CPG.
- On June 21, CPG provided a letter to EPA acknowledging receipt of draft versions of ECOM-SEDZLJS and RCATOX codes.
- On June 21, EPA provided comments on the Fish QAPP Addendum 3 to CPG.
- On June 22, CPG submitted revised Fish QAPP Addendum 3 and Benthic QAPP Addendum 2 to EPA.
- On June 24, EPA authorized start of the spring 2010 Fish Community Survey and conditional approval of Fish QAPP Addenda 3 and 4 with editorial comments to be addressed in final QAPP versions.
- On June 28, CPG received comments from EPA on the draft LRC Summary Report.

Work

- CPG initiated the spring 2010 Benthic Community Survey on June 2 and completed the work on June 11.
- CPG initiated the spring/summer 2010 Fish Community Survey and supplemental collection of small foraging fish on June 23
- CPG performed the 2010 Bathymetry Survey on June 9-23.
- CPG continued the spring 2010 PWCM deployment with a servicing/ transect survey conducted June 16-23.
- CPG Modeling Team continued work on the HydroQual SEDZLJS Sediment Transport Model code.
- CPG Modeling Team continued work on the SEDZLJ Sediment Transport Model Code.
- CPG continued reviewing the fall 2009 PCWM data.
- CPG completed reviewing data from the March 16 wet weather PWCM event.
- CPG continued planning activities for the Chemical Water Column Monitoring (CWCM) QAPP.
- CPG continued processing of fish tissue samples for chemical analyses.



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(b) Results of Sampling and Tests

- On June 15, copies of lab EDD files and Excel data tables from the March 16, 2010 PWCM High-Flow Event that were validated in May 2010 and the associated field measurements taken at the time of sampling were posted to the PREmis web portal.
- On June 16, CPG submitted data collected pursuant to the 2009 Benthic Survey QAPP (sediment data) and the 2009 Fish/Decapod Tissue QAPP (crab tissue data) to the EPA.
- On June 21, CPG submitted validated 2009 Benthic Survey Sediment data to the EPA.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will conduct the fourth instrument servicing and transect event for the PWCM in July, assuming low flow DQOs have not been achieved.
- CPG will process the 2010 Bathymetry Survey data.
- CPG will continue processing fish tissue samples for chemical analyses.
- CPG will continue reviewing the fall 2009 PWCM data.
- CPG will continue planning activities for the CWCM QAPP.
- CPG will continue the spring/summer 2010 Fish Community Survey and supplemental collection of small foraging fish.
- CPG will conduct the summer 2010 Benthic Community Survey and collection of select sediment samples co-located with small foraging fish collection locations.
- CPG will conduct an Avian Survey.
- CPG will conduct a Habitat Survey.
- CPG Modeling Team will continue work on the Sediment Transport Model codes SEDZLJS and SEDZLJ.
- CPG will participate in monthly LPR/NB Modeling Program progress calls with EPA and EPA contractors.

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(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

None encountered.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard F. Potter

Project Coordinator

Willard F. Potter / efc

cc: Pat Hick, EPA Office of Regional Counsel Alice Yeh, EPA
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